

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23388 of 2007

Between:

Mutyala Subba Rao and another.

.. PETITIONERS

and

The District Collector, Krishna District and others.

.. RESPONDENTS

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ORDER:

It is the case of the petitioners that against the order passed by the Tahsildar, Nandivada Mandal, Krishna District, in proceedings in Rc.No.B.95/2007, dated 23-07-2007, under Section 4(1) (a) of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short "the Act"), in resuming the land admeasuring Ac.10-53 cents in R.S.Nos.25/1, 26/1 and 26/2 respectively situated at Polukonda Village, Nandivada Mandal, Krishna District, on the ground that the said land was originally assigned in favour of one Y.Hanumaiah and one M. Giri Prasad Rao and the said assignees transferred the said land in favour of the petitioner in violation of the provision of sub-section (2) of Section 3 of the Act, the petitioners filed an appeal before the 2nd respondent on 07-07-2007. It is stated that pending disposal of the appeal, the Tahsildar, Nandivada Mandal, Krishna District, is taking steps to dispossess the petitioners from the land in question.

As the appeal is pending, without expressing any opinion on the merits of the case, I am of the opinion that it is just and proper to direct the 2nd respondent to consider and dispose of the appeal.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the appeal filed against the orders passed by the Tahsildar, Nandivada Mandal, Krishna District, dated 23-07-2007, in proceedings in Rc.No.B.95/2007, as expeditiously as possible, in accordance with law, after giving reasonable opportunity to the petitioners. Pending disposal of the appeal, status-quo obtaining as on today with regard to possession shall be maintained. There shall be no order as to costs.

05-11-2007

Prv